

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**JOHN DOE,** )  
on behalf of himself and others similarly situated, )  
 )  
Plaintiff, )

V.

Case No.:

**DONALD J. TRUMP**, in his official capacity as the President of the United States of America;

Hon. Judge:

**U.S. DEPARTMENT OF HOMELAND  
SECURITY;**

**U.S. CUSTOMS AND BORDER PROTECTION;**

**JOHN KELLY**, in his official capacity as Secretary of Department of Homeland Security; and

**KEVIN MCALEENAN**, in his official capacity )  
as Acting Commissioner of Customs and )  
Border Protection, )

Defendants. )

## COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

Plaintiff JOHN DOE (“Plaintiff”), by and through his undersigned counsel, Kameli Law Group, LLC, respectfully submits this Complaint seeking declaratory and injunctive relief in relation to the Executive Order titled “Protecting the Nation From Foreign Terrorist Entry Into the United States” (“Executive Order”) executed by President DONALD J. TRUMP on January 27, 2017. In support thereof, Plaintiff alleges and states as follows:

### **STATEMENT OF THE CASE**

1. This case involves the challenge of Defendant Donald J. Trump's Executive Order as it relates to Plaintiff, a lawful permanent resident of the U.S. currently located outside of the U.S., and others similarly situated. Plaintiff contends that Section 3(c) of the Executive Order, executed pursuant to 8 U.S.C. § 1153(f), is in violation of 8 U.S.C. § 1101(a)(13)(C) and Plaintiff's constitutional right to procedural due process and equal protection as a lawful permanent resident of the United States of America. Plaintiff requests that this Court grant declaratory judgment and injunctive relief to prevent continuing harm to Plaintiff, and others similarly situated.

### **JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction over this action pursuant 28 U.S.C. § 1331 because Plaintiff's claims arise under the laws of the United States; specifically the Immigration and Nationality Act ("INA") and the Constitution of the United States. This Court also has jurisdiction pursuant 28 U.S.C. §§ 2201 and 2202 (Declaratory Judgment Act).

3. Venue properly lies in the Northern District of Illinois, Eastern Division pursuant to 28 U.S.C. § 1391(e), as this is an action against an officer of the United States acting in his official capacity, and Plaintiff resides in this federal district in Chicago, Illinois.

### **PARTIES**

4. Plaintiff is a citizen of Iran and lawful permanent resident of the United States of America. Plaintiff is currently out of the country returning from a trip visiting extended family in Iran. Plaintiff files this case under the pseudonym "John Doe" to protect his identity and safety and to avoid the public disclosure of information to foreign governments that may prevent or impede his travel.

5. Defendant Donald J. Trump ("Defendant Trump") is the President of the United States of America and has ultimate authority over the Executive Agencies which enforce the

immigration laws of the United States of America. In that capacity, his executive agencies are responsible for the administration of immigration benefits and immigration laws. He is sued in his official capacity.

6. The U.S. Department of Homeland Security (“DHS”) is an agency within the executive branch of the federal government with the purpose of securing the United States.

7. The U.S. Customs and Border Protection (“CBP”) is an agency within the executive branch of the federal government with the purpose of controlling the borders of the United States.

8. Defendant John Kelly (“Defendant Kelly”), is Secretary of DHS and has ultimate authority over the operations of DHS. Defendant Kelly is sued in his official capacity.

9. Defendant Kevin McAleenan (“Defendant McAleenan”) is Acting Commissioner of CBP. In that capacity, he is responsible for and oversees all activities of CBP. Defendant McAleenan is sued in his official capacity.

### **LEGAL BACKGROUND**

10. In order to demonstrate standing Plaintiff must show the existence of a case or controversy, which requires (1) an “injury in fact” that is (2) “fairly traceable to the challenged action of the defendant” and is (3) likely to be “redressed by a favorable decision.” Lujan v. Defenders of Wildlife, 504 U.S. 555, 560-61 (1992).

11. “Injury in fact,” requires (1) an “invasion of a legally protected interest” that is (2) “concrete and particularized” and (3) “actual or imminent.” Id. at 560.

12. On January 27, 2017, Defendant Trump executed the Executive Order, attached hereto as **Exhibit A**, of which Section 3, subsection (c) provides in relevant part:

. . . I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. § 1187(a)(12), would be detrimental to the interests of the United States, and I

hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order . . .

Exec. Order - 1.27.2017 - Protecting the Nation from Foreign Terrorist Entry into the United States.

13. The seven countries included in the criteria stated in 8 U.S.C. § 1187(a)(12) are Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen.

14. 8 U.S.C. § 1101(a)(13)(C) defines “admissions” and “admitted” under the INA, and specifically provides that:

An alien lawfully admitted for permanent residence in the United States shall not be regarded as seeking an admission into the United States for purposes of the immigration laws unless the alien—

- (i) has abandoned or relinquished that status,
- (ii) has been absent from the United States for a continuous period in excess of 180 days,
- (iii) has engaged in illegal activity after having departed the United States,
- (iv) has departed from the United States while under legal process seeking removal of the alien from the United States, including removal proceedings under this chapter and extradition proceedings,
- (v) has committed an offense identified in section 1182(a)(2) of this title, unless since such offense the alien has been granted relief under section 1182(h) or 1229b(a) of this title, or
- (vi) is attempting to enter at a time or place other than as designated by immigration officers or has not been admitted to the United States after inspection and authorization by an immigration officer.

8 U.S.C. § 1101(a)(13)(C).

15. Under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”), lawful permanent residents are regarded as seeking admission to the United States if they fall into any of six enumerated categories. Vartelas v. Holder, 566 U.S. 257, 263 (2012) (citing 8 U.S.C. § 1101 (a)(13)(C)).

16. “[O]nce an alien gains admission to our country and begins to develop the ties that go with permanent residence, his constitutional status changes accordingly.” Landon v. Plasencia, 459 U.S. 21, 32 (1982).

17. “[M]any resident aliens have lived in this country longer and established stronger family, social, and economic ties here than some who have become naturalized citizens.” Woodby v. Immigration & Naturalization Serv., 385 U.S. 276, 286 (1966).

18. “. . . [T]he returning resident alien is entitled as a matter of due process to a hearing on the charges underlying any attempt to exclude him.” Plasencia, 459 U.S. 21, 33 (1982); see also Rosenberg v. Fleuti, 374 U.S. 449 (1963); Kwong Hai Chew v. Colding, 344 U.S. 590 (1953).

19. In evaluating the procedures in any case, the courts must consider the interest at stake for the individual, the risk of an erroneous deprivation of the interest through the procedures used as well as the probable value of additional or different procedural safeguards, and the interest of the government in using the current procedures rather than additional or different ones. Plasencia, 459 U.S. at 34 (citing Mathews v. Eldridge, 424 U.S. 319, 334-35 (1976)).

### **FACTUAL BACKGROUND**

#### **Plaintiff is a Lawful Permanent Resident**

20. Plaintiff is a citizen of Iran.

21. Plaintiff has been a lawful permanent resident of the United States of America since January 14, 2011, with the alien number A-\*\*\*-\*\*\*-166 (full alien number will be provided to the Court and Defendants’ counsel).

22. Plaintiff’s immediate family are all lawful permanent residents of the United States and live with Plaintiff in Chicago, Illinois.

23. Plaintiff is the owner of real property in Chicago, and his immediate family has lived in Chicago for nearly five years.

24. Plaintiff has three children who also live in Chicago, and Plaintiff's daughter is due to give birth to Plaintiff's first grandchild on or about February 25, 2017.

25. Plaintiff has been a law-abiding resident during the five years he has resided in the United States. He has established familial and community ties.

**Plaintiff is currently located outside of the U.S.**

26. In January of 2017 Plaintiff departed the United States for Iran to assist in the care of his ailing mother, who still resides in Iran. Plaintiff's father passed away in August of 2016.

27. Plaintiff's wife remained in Chicago with their three children, while Plaintiff traveled to Iran to care for his mother.

28. Plaintiff departed to Iran with the intention of assisting in the care of his mother with her illness for a short period of time and then returning to the United States to be present for the birth of his first grandchild.

29. At the time of his departure Plaintiff only intended to be outside of the United States for three to four weeks at the most.

30. Plaintiff has not triggered any of the reasons for exclusion under 8 U.S.C. § 1101(a)(13)(C).

31. On or about January 28, 2017, Plaintiff attempted to purchase a ticket to reenter the United States, in which the ticketing agency refused to issue Plaintiff a ticket for his travel to the United States due to the Executive Order.

32. Plaintiff intends to return to the United States immediately, after having been outside of the United States for a period less than 180 days.

33. Given the ailing health of his mother, Plaintiff intends to travel back to Iran after spending time with his family and new grandchild.

34. As of filing this Complaint the Executive Order remains in effect, even though in the last 48 hours Defendant Trump's administration has made contradicting statements about the application of the Executive Order towards lawful permanent residents.

35. As long as the Executive Order remains in effect without Court intervention, Department of State and Department of Homeland Security, other executive agencies, as well as all airlines, will follow the Executive Order of Defendant Trump.

36. As of the filing of this Complaint no written statement has been issued by Defendant Trump to withdraw or revoke Section (3), subsection (c) of the Executive Order as it applies to current lawful permanent residents of the United States.

#### **REPRESENTATIVE ALLEGATIONS**

37. A Motion for Class Certification will be filed seeking certification for those similarly situated to Plaintiff pursuant Federal Rule of Civil Procedure 23, on behalf of U.S. lawful permanent residents with nationalities of Iran and the six countries described in the Executive Order and 8 U.S.C. § 1187(a)(12) and who: (1) are currently outside of the U.S. and plan on returning to the U.S. within the 90 day period established in the Executive Order, including any extension thereof established by Defendants; and/or (2) those planning to travel outside of the U.S. and return to the U.S. within the 90 day period established in the Executive Order, including any extension thereof established by Defendants.

38. The Executive Order violates the constitutional rights of each of the proposed class, such that each member would be entitled to file a complaint seeking declaratory and

injunctive relief as if standing in Plaintiff's place. The Motion for Class Certification will address all requirements of numerosity, commonality, typicality, and adequacy.

### **CLAIMS FOR RELIEF**

#### **COUNT I: DEFENDANT TRUMP'S EXECUTIVE ORDER IS A VIOLATION OF PLAINTIFF'S CONSTITUTIONAL RIGHT TO PROCEDURAL DUE PROCESS UNDER THE FIFTH AMENDMENT**

39. Plaintiff incorporates paragraphs 1 through 38 as if fully stated in this Count I.

40. Procedural due process requires that the government be constrained before it acts in a way that deprives individuals of liberty interests protected under the Due Process Clause of the Fifth Amendment.

41. Plaintiff is a lawful permanent resident of the United States, and he has the right to due process prior to being prohibited from reentering the United States.

42. Supreme Court precedent has found that lawful permanent residents have significant interests for procedural due process, specifically, "[t]he right 'to stay and live and work in this land of freedom' [and] the right to [remain with one's] immediate family 'are rights 'that rank high among the interests of the individual.'" Plasencia, 459 U.S. at 34 (quoting Bridges v. Wixon, 326 U.S. 135, 154 (1945)).

43. Plaintiff has substantial interest in being with his immediate family and returning to his permanent residence and this interest is being infringed by Defendant Trump's Executive Order preventing Plaintiff from entering the United States, in violation of his procedural due process rights.

44. As Plaintiff is a returning lawful permanent resident he is afforded constitutional due process right with respect to his return to the United States. Plasencia, 459 U.S. at 33.

45. Defendant Trump's Executive Order Section (3), subsection (c), as written, bars the "entry" of nationals from Iran and the six other countries described by 8 U.S.C. 1187(a)(12),



regardless of whether they are lawful permanent residents, such as Plaintiff and others similarly situated, and thus violates Plaintiff's procedural due process rights guaranteed by the Fifth Amendment.

46. Inasmuch as Defendant Trump, The White House, DHS, CBP, and other executive agencies or officers state that lawful permanent residents are permitted to return to the U.S., although they are to be subjected to hours-long detention and questioning, the text of the Executive Order would allow Defendant Trump and the executive agencies to continue to bar lawful permanent residents with nationalities from the listed countries, such as Plaintiff and others similarly situated, from reentering the U.S. at their whim and without notice to Plaintiff or other lawful permanent residents, in violation of procedural due process rights guaranteed by the Fifth Amendment.

**COUNT II: VIOLATION OF PLAINTIFF'S FIFTH AMENDMENT  
RIGHT TO EQUAL PROTECTION**

47. Plaintiff incorporates paragraphs 1 through 38 as if fully stated in this Count II.

48. 8 U.S.C. § 1152(a)(1)(A) provides that "no person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of the person's race, sex, nationality, place of birth, or place of residence."

49. Section (3), subsection (c) of the Executive Order discriminates against Plaintiff, and others similarly situated, as an "immigrant" who is a lawful permanent resident of the United States, on the basis of his country of nationality and without sufficient justification, and therefore violates 8 U.S.C. § 1152(a)(1)(A) and Plaintiff's, and those similarly situated, right to equal protection under the Due Process Clause of the Fifth Amendment.

50. As stated repeatedly by Defendant Trump during his presidential campaign and after his election, he would act to bar Muslims from entering the U.S.

51. The Executive Order is designed to bar Muslims from entry to the U.S. and has discriminatory intent.

52. Section (3), subsection (c) of the Executive Order does not properly serve its purported purpose and has both a discriminatory intent and impact as it relates to religion, thereby violating Plaintiff's, and those similarly situated, right to equal protection under the Due Process Clause of the Fifth Amendment.

**COUNT III: SECTION 3, SUBSECTION (C) OF THE EXECUTIVE ORDER IS UNCONSTITUTIONALLY VAGUE IN VIOLATION OF THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT**

53. Plaintiff incorporates paragraphs 1 through 38 as if fully stated in this Count III.

54. Section 3, subsection (c) of the Executive Order is vague on its face in that it bars "immigrants" from "entry" into the United States, which includes lawful permanent residents who have a constitutional right to due process prior to being prohibited entrance into the United States pursuant to Supreme Court precedent. **Exhibit A.**

55. "Immigrant", as used in the Executive Order, is unconstitutionally vague in violation of the Due Process Clause of the Fifth Amendment, because this word does not provide sufficient notice or fair warning as to who is defined as an "immigrant." See Grayned v. City of Rockford, 408 U.S. 104, 108 (1972) ("[i]t is a basic principle of due process that an enactment is void for vagueness if its prohibitions are not clearly defined.").

56. Section (3) subsection (c) may be read to target individuals whose immigrant visas have been issued in their passports, yet have failed to enter the United States for the first time in order to be admitted as an "immigrant."

57. Defendant Kelly and Defendant McAleenan appear to believe that Executive Order Section (3) subsection (c) applies to individuals who have been admitted to the United States as lawful permanent residents.

58. The confusion among the different agencies and officers about the meaning of “immigrant” in Section (3) subsection (c) further demonstrates that the subsection is vague and thus unconstitutional.

59. As noted above, a lawful permanent resident shall not be regarded as seeking admission to the U.S. at the time of his or her entry unless he or she falls into one of the six enumerated categories set forth in 8 U.S.C. § 1101(a)(13)(C).

60. Although Plaintiff has not triggered or violated any of the six enumerated categories and would not be seeking “admission” to the U.S., he would be “entering” the U.S. by virtually any definition of “entry” such that he would fall under the scope of Section 3, subsection (c) of the Executive Order.

61. As the Executive Order does not clarify whether “entry” would include or exclude the return of lawful permanent residents to the U.S. it is vague and unconstitutional.

**COUNT IV: DEFENDANT TRUMP’S EXECUTIVE ORDER IS EXPANDING  
EXCLUSION PROCEEDINGS OUTSIDE OF CONGRESSIONAL INTENT IN  
ESTABLISHING 8 U.S.C. § 1101(a)(13)(C)**

62. Plaintiff incorporates paragraphs 1 through 38 as if fully stated in this Count IV.

63. Congress promulgated 8 U.S.C. § 1101(a)(13)(C) to create certain exclusionary proceedings applicable to lawful permanent residents such that they would be treated as arriving aliens seeking admission upon reentry to the U.S.

64. The Executive Order has created new exclusionary measures through Section 3, subsection (c) by barring “immigrants”, including lawful permanent residents.

65. Section (3) subsection (c) of the Executive Order has created a new standard for the exclusion of lawful permanent residents, such as Plaintiff, based upon national origin and religion in violation of 8 U.S.C. § 1101(a)(13)(C) and 8 U.S.C. §§ 1151, 1152(a)(1)(A).

66. The Executive Order violates procedural due process by mandating the re-adjudication of Plaintiff's admission to the U.S. after Plaintiff has been admitted when none of the six enumerated conditions under 8 U.S.C. § 1101(a)(13)(C) have been triggered.

67. As Plaintiff has plans to travel outside of the U.S. after his reentry, and within the 90 day initial period set forth in the Executive Action (subject to extension at Defendant Trump's sole discretion), under the language of the Executive Order and its implementation Plaintiff would be required to seek admission to the U.S. upon each return to the U.S., based upon his national origin and religion, in violation of 8 U.S.C. § 1101(a)(13)(C) and 8 U.S.C. §§ 1151, 1152(a)(1)(A).

#### **COUNT V: DECLARATORY JUDGMENT ACT**

68. Plaintiff incorporates paragraphs 1 through 38 as if fully stated in this Count V.

69. Plaintiff seeks a declaration that Section 3, subsection (c) of the Executive Order is unconstitutional as it is vague, unlawful, discriminatory, and violates the Fifth Amendment due process and/or equal protection rights of Plaintiff, and others similarly situated, as U.S. lawful permanent residents and foreign nationals of one of the seven countries described in 8 U.S.C. § 1187(a)(12).

70. Plaintiff seeks an injunction enjoining Defendants' enforcement of Section 3, subsection (c) of the Executive Order as it relates to Plaintiff, and others similarly situated, as U.S. lawful permanent residents and foreign nationals of Iran and the six other countries described in 8 U.S.C. § 1187(a)(12) who have a constitutional right to due process and equal protection under the Fifth Amendment.

71. Plaintiff seeks an order from this Court directing Defendants to inform transportation companies to permit lawful permanent residents of the United States to travel to the

United States, even if they are nationals of Iran and the six other countries described in the Executive Order.

72. Plaintiff seeks an order from this Court directing Defendant McAleenan to permit Plaintiff and those similarly situated to enter the U.S. without the requirement for “admission” pursuant to 8 U.S.C. § 1101(a)(13)(C).

#### **ATTORNEY’S FEES**

73. The Equal Access to Justice Act, 28 U.S.C. § 2412, provides for the award of costs and reasonable attorney’s fees to a prevailing party in a proceeding for judicial review of an official of the United States brought by or against the United States in any court having jurisdiction of that action, unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust. See 28 U.S.C. §§ 2412(a) and (d)(1).

74. As a result of Defendant Trump’s unlawful actions, Plaintiff was required to hire counsel and pay counsel reasonable fees and expenses.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests this Court enter judgment on his behalf and issue the following:

a. An order declaring Section 3, subsection (c) of the Executive Order unconstitutional as applied to lawful permanent residents who are nationals of Iran and the six other countries described in 8 U.S.C. § 1187(a)(12);

b. An order directing Defendant Kelly and Defendant McAleenan to permit entry into the United States of lawful permanent residents who are nationals from the countries described in 8 U.S.C. § 1187(a)(12) without the requirement of “admission” pursuant 8 U.S.C. § 1101(a)(13)(C), including the requirement of proper notification to all transportation companies

to permit lawful permanent residents of the United States to travel to the United States, even if they are nationals of one of the seven countries described in the Executive Order.

c. An order declaring that Section (3) subsection (c) of the Executive Order created an unlawful standard for the entry of lawful permanent residents outside of the Congressional intent that was expressed in 8 U.S.C. § 1101(a)(13)(C);

d. An order enjoining Defendants from prohibiting entry of lawful permanent residents of the United States from Iran and the six other countries described in 8 U.S.C. § 1101(a)(13)(C) based solely on the Executive Order;

e. An order awarding Plaintiff reasonable costs and fees under the Equal Access to Justice Act; and

f. An order granting such other and further relief as to this Court seems fair and just.

Respectfully submitted,

/s/ Taher Kameli  
Taher Kameli

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**Dated: January 30, 2017**

# EXHIBIT A

January 27, 2017  
Executive Order

THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release  
January 27, 2017

EXECUTIVE ORDER

- - - - -

PROTECTING THE NATION FROM FOREIGN TERRORIST  
ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 *et seq.*, and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visa-



issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.

(b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and

maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

(d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.

(e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the information requested pursuant to subsection (d) of this section until compliance occurs.

(f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.

(g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.

(h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.

Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

(b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.

Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat

to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

(b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.

(c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.

(d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.

(e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United

States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship -- and it would not pose a risk to the security or welfare of the United States.

(f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.

(g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.

Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.

Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

(b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.



Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.

(b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.

Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.

Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with applicable law and national security, collect and make publicly available within 180 days, and every 180 days thereafter:

(i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security

reasons since the date of this order or the last reporting period, whichever is later;

(ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and

(iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and

(iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.

(b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.

Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,  
January 27, 2017.

# # #



# CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

JOHN DOE

(b) County of Residence of First Listed Plaintiff COOK COUNTY, ILLINOIS  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

KAMELI LAW GROUP, LLC  
1319 S. STATE STREET, SUITE C-2  
CHICAGO, ILLINOIS 60605

## DEFENDANTS

DONALD J. TRUMP, DEPT. OF HOMELAND SEC., CUSTOMS AND BORDER PROTECTION, JOHN KELLY, AND KEVIN MCALEENAN.

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

U.S. Attorneys  
219 S. Dearborn St., 5th Floor  
Chicago, IL

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other  <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act  <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input checked="" type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157  <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark  <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))  <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729 (a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities Employment <input type="checkbox"/> 446 Amer. w/Disabilities Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- |   |   |  |   |  |  |   |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) | <input type="checkbox"/> 6 Multidistrict Litigation-Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

## VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)

8 U.S.C. § 1101(a)(13)(C), violating Plaintiff's procedural due process rights

## VII. Previous Bankruptcy Matters (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this Court. Use a separate attachment if necessary.)

## VIII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

COSTS OF COURT

JURY DEMAND:

☐ Yes ☒ No

## IX. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

## X. This case (check one box)

☒ Is not a refile of a previously dismissed action ☐ is a refile of case number \_\_\_\_\_ previously dismissed by Judge \_\_\_\_\_

DATE JANUARY 30, 2017

SIGNATURE OF ATTORNEY OF RECORD /s/TAHER KAMELI/

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

**I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

**IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

**V. Origin.** Place an "X" in one of the six boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

**VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service

**VII. Previous Bankruptcy Matters** For nature of suit 422 and 423 enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this court. Use a separate attachment if necessary.

**VIII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**IX. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**X. Refiling Information.** Place an "X" in one of the two boxes indicating if the case is or is not a refiling of a previously dismissed action. If it is a refiling of a previously dismissed action, insert the case number and judge.

**Date and Attorney Signature.** Date and sign the civil cover sheet.